



Express Mail No.: EV473972060US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Brines et al.

Confirmation No.: 5119

Application No.: 09/717,057

Group Art Unit: 1647

Filed: November 21, 2000

Examiner: DeBerry, Regina M.

For: MODULATION OF EXCITABLE  
TISSUE FUNCTION PERIPHERALLY  
ADMINISTERED ERYTHROPOIETIN

Attorney Docket No.: 10165-010-999

**TRANSMITTAL OF REVOCATION AND POWER OF ATTORNEY**

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Applicants submit herewith a Revocation And Power Of Attorney executed by Carla Cerami Hand, President of The Kenneth S. Warren Institute, Inc., for the above-identified patent application on August 3, 2007. Also enclosed is a Certificate of Amendment of The Certificate of Incorporation of The Kenneth S. Warren Laboratories, Inc.

Applicants request that the Revocation And Power Of Attorney be made of record in the file of the above-identified patent application.

It is estimated that no fee is due in connection with this transmittal. In the event that a fee is required, please charge the required fee to Jones Day Deposit Account No. 50-3013. A copy of this sheet is enclosed for accounting purposes.

Respectfully submitted,

Date: August 14, 2007

Laura A. Coruzzi 30,742  
Laura A. Coruzzi (Reg. No.)

By: Eileen E. Falvey 46,097  
Eileen E. Falvey (Reg. No.)

Enclosure



Express Mail No.: EV473972060US

POWER OF ATTORNEY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Brines et al.

Confirmation No.: 5119

Serial No.: 09/717,057

Art Unit: 1647

Filed: November 21, 2000

Examiner: DeBerry, Regina M.

For: MODULATION OF EXCITABLE TISSUE  
FUNCTION BY PERIPHERALLY ADMINISTERED  
ERYTHROPOIETIN

Attorney Docket No: 10165-010-999

**REVOCATION AND POWER OF ATTORNEY**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The Kenneth S. Warren Institute, Inc. (formerly known as The Kenneth S. Warren Laboratories, Inc.) hereby revokes any and all previous powers and appoints:

☒ Practitioners at Customer Number 20583

as their attorneys or agents to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please direct all correspondence address for the above-identified application to:

☒ The above mentioned Customer Number.

☒ Firm or Individual Name:

Address: Jones Day, 222 East 41st Street, New York, New York 10017

Telephone: (212) 326-3939

I am the:

- ☐ Applicant/Inventor  
☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
(Statement under 37 CFR 3.73(b) is applicable)

**Statement Under 37 C.F.R. 3.73(b)**

The Kenneth S. Warren Institute, Inc. (formerly known as The Kenneth S. Warren Laboratories, Inc.) states that it is:

- ☒ the assignee of the entire right, title, and interest; or  
☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is %

in the patent application/patent identified above by virtue of:

- ☒ An assignment from the inventors of U.S. Patent Application Serial No. 09/547,220, of which the above-identified application is a divisional application. The assignment was recorded in the United States Patent and Trademark Office on June 13, 2000; Reel 010887, Frame 0963. A Certificate of Amendment of The Certificate of Incorporation of The Kenneth S. Warren Laboratories, Inc. is submitted concurrently to document the name change from The Kenneth S. Warren Laboratories, Inc. to The Kenneth S. Warren Institute, Inc.

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

**ASSIGNEE: The Kenneth S. Warren Institute, Inc.  
(formerly known as The Kenneth S. Warren  
Laboratories, Inc.)**

Date:

8/3/07

Signature:



Typed Name:

Carla Cerami Hand

Position/Title:

President

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required.

- ☒ Total of 1 form is submitted.

State of New York )  
Department of State ) ss:

*I hereby certify that the annexed copy has been compared with the original document in the custody of the Secretary of State and that the same is a true copy of said original.*

Witness my hand and seal of the Department of State on APR 08 2002



A handwritten signature in dark ink, appearing to be "J. Laube", followed by a horizontal line.

*Special Deputy Secretary of State*

DOS-1266 (7/00)

F-010907000 353

CERTIFICATE OF AMENDMENT

OF

THE CERTIFICATE OF INCORPORATION

OF

THE KENNETH S. WARREN LABORATORIES, INC.

Under Section 803 of the

Not-For-Profit Corporation Law

STATE OF NEW YORK  
DEPARTMENT OF STATE

SEP 07 2001

FILED  
TAXS  
BY: RSC

Filed by:

Randolph M. Goodman, Esq.  
Morrison & Foerster LLP  
2000 Pennsylvania Avenue, N.W.  
Suite 5500  
Washington, DC 20006

7

no. 254955

360

FO10907000-353

CERTIFICATE OF AMENDMENT

OF

CERTIFICATE OF INCORPORATION

OF

THE KENNETH S. WARREN LABORATORIES, INC.

Under Section 803 of the  
Not-For-Profit Corporation Law

IT IS HEREBY CERTIFIED THAT:

1. The name of the corporation is THE KENNETH S. WARREN  
LABORATORIES, INC.

2. The certificate of incorporation was filed by the Department of State on  
the 9th day of June, 1980 under the Not-For-Profit Corporation Law under the name of  
DRUG AND VACCINE DEVELOPMENT CORPORATION.

3. The corporation is a corporation as defined in  
subparagraph (a)(5) of Section 102 (Definitions) of the Not-For-Profit Corporation Law  
and is a Type B not-for-profit corporation as described in Section 201 (Purposes) of the  
Not-For-Profit Corporation Law.

4. The certificate of incorporation of this corporation is hereby amended as  
follows:

Paragraph 1 of the certificate of incorporation relating to the name of the  
corporation is hereby amended in its entirety to read as follows:

"1. The name of the corporation is THE KENNETH S. WARREN  
INSTITUTE, INC. (the "Corporation")."

Paragraph 3 of the certificate of incorporation relating to the purposes for which  
the corporation was formed is hereby amended in its entirety to read as follows:

4

"3. The purposes for which the Corporation is formed are:

To develop and make available drugs and vaccines for use in the treatment of diseases in Developing Countries and to conduct any and all other activities as shall from time to time be found appropriate in connection with the foregoing and as are lawful for not-for-profit corporations, except that the corporation shall not have the power to carry on any activity not permitted to be carried on by a corporation exempt from Federal income taxation under Section 501(c)(3) of the Internal Revenue Code of 1954, as amended (or the corresponding provision of any future United States Internal Revenue Law). Nothing herein shall authorize the corporation to provide professional training or to practice medicine or any other profession required to be licensed by Title VIII of the Education Law. Nothing herein shall authorize the corporation to operate or maintain a college or university or to grant degrees or credit leading to a degree."

5. The amendment to the certificate of incorporation was authorized by a majority of members entitled to vote thereon as provided in paragraph (c) of Section 613 (Vote of members) of the Not For Profit Corporation Law

6. The Secretary of State is designated as agent of the corporation upon whom process against it may be served. The post office address to which the Secretary of State shall mail a copy of any process against the corporation served upon him is:

Randolph M. Goodman, Esq.  
Morrison & Foerster LLP  
2000 Pennsylvania Avenue, N.W.  
Suite 5500  
Washington, DC 20006

5

IN WITNESS WHEREOF, this certificate has been subscribed to this 12<sup>th</sup> day  
of July, 2001 by the undersigned who affirms that the statements made herein are true  
under penalties of perjury.

A. Cerami  
ANTHONY CERAMI  
President

Carla Cerami  
CARLA CERAMI  
Secretary

6



Best Available Copy

NEW YORK DEPARTMENT OF STATE  
DIVISION OF CORPORATIONS AND STATE RECORDS

ALBANY, NY 12231-0001

FILING RECEIPT

ENTITY NAME: THE KENNETH S. WARREN INSTITUTE, INC.

DOCUMENT TYPE: RESERVATION FOR CHANGE OF NAME (DOM NFP)

SERVICE COMPANY: \*\* NO SERVICE COMPANY \*\*

SERVICE CODE: 00

APPLICANT NAME : THE KENNETH S. WARREN LABORATORIES

FILED:04/27/2001 DURATION:06/27/2001 CASH#:010427000587 FILM #:010427000579

ADDRESS FOR PROCESS

REGISTERED AGENT

\*\* SUBMIT RECEIPT WHEN FILING CERTIFICATE \*\*

FILER	FEES	PAYMENTS
THE KENNETH S. WARREN LABORATORIES	FILING 10.00	CASH 0.00
THE OLD FAY WILKINSON ROAD	TAX 0.00	CHECK 0.00
	CERT 0.00	CHARGE 10.00
	COPIES 0.00	DRAWDOWN 0.00
	MAILING 0.00	BILLED 0.00
		REFUND 0.00